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This Instrument Prepared by:
Wilson & Associates, P.L.L.C.
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Little Rock, AR 72211
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Davidson County FORECLOSE
Recvd: 05/10/04 11:43 2pgs
Fees:12.00 Taxes:0.00
20040510-0053033

AFFIDAVIT TO RESCIND FORECLOSURE SALE AND TRUSTEE'S DEED

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

BEFORE ME, the undersigned authority, on this day personally appeared Toni M Klysz, who acknowledged himself/herself to be the Assistant Vice President of Citibank, N.A., as trustee, who after being duly sworn, deposed and stated:

THAT default occurred in the performance of the covenants, terms, and conditions of a Note and Deed of Trust dated November 28, 2001 and recorded on December 7, 2001 as Instrument Number 20011207-0135179 in the Register's Office of Davidson County, Tennessee, Mary Josephine Easley, and Jane Earline Brooks Ranson conveyed to David A Wilson, as Trustee for Chase Manhattan Mortgage Corporation, subsequently assigned to Citibank, N.A., as trustee, by assignment dated December 18, 2001, filed on January 25, 2004, as Instrument Number 20040126-0009574.

THAT the current holder of the indebtedness secured by said Mortgage, Citbank, N.A., offered the subject property for sale to the highest bidder on January 28, 2004 at 10:00 a.m. at the Davidson County Courthouse at the Gaylord Entertainment Center in Nashville, Tennessee, to wit:

> Land in Davidson County, Tennessee being part of Lot Number 1 on the Plan of Aldrich Heights, Section 2 as of record in Plat Book 2133, Page 128, Register's Office for Davidson County, Tennessee. Said Lot Number 1, fronts 134.57 feet on the North side of Ewing Lane (or Drive), and runs back between lines measuring 173.52 feet on the West line and 176.43 feet on the East line to a dead line in the rear measuring 102.33 feet thereon. Included in this description but expressly excluded in this conveyance are Parcels 1 and 2 described in that certain deed of record in Book 5361, Page 786, said Register's Office. Being the same property conveyed to Mary Josephine Easley and Jane Earline Brooks Ransom, by Warranty Deed from Johnny I. Woods and wife, Mamie L. Woods, dated 08/31/1998 and recorded 09/01/1998 in Book 11092, Page 197, in the Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 419 Ewing Drive, Nashville, Tennessee 37207.

THAT at such time, an agent of Citbank, N.A., as trustee struck off and sold to Citibank, N.A., at trustee, at and for the sum of $ 111,931.22, that being the highest and best bid offered.

THAT by Trustee's Deed duly recorded in the Register's Office of Davidson County, Tennessee, on March 15, 2004, as Instrument Number 20040315-0029027, the subject real property was conveyed to Citibank, N.A., as trustee pursuant to the Tennessee Statutory Foreclosure Act.

THAT subsequent to said sale, sufficient conditions arose to warrant the rescission of the sale and restoration of the subject property to its former state.

THAT the Note and Deed of Trust are hereby ratified and reformed to their former status.

THAT Citibank, N.A., as trustee, thus hereby rescinds the foreclosure sale and Trustee's Deed.

FURTHER, Affiant sayeth not.

CITIBANK, N.A., AS TRUSTEE BY CHASE MANHATTAN MORTGAGE CORP. AS ATTORNEY-IN-FACT

By: _____
Toni M Klysz
Assistant Vice President

ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

On this 6th day of May, 2004, before me, a Notary Public within and for the county and state aforesaid, personally appeared Toni M Klysz, who stated that he/she was the Assistant Vice President of Citibank, N.A., as trustee and whose name is subscribed to the foregoing instrument, and who acknowledges that the contents of said Affidavit were true and correct and that the Affidavit was executed for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

_____
Notary Public

PAULINA TAUASOSI BYRD
COMM. #1453130
NOTARY PUBLIC-CALIFORNIA
SAN DIEGO COUNTY
My Commission Expires
NOVEMBER 24, 2007

My Commission Expires:
11/24/07

W&A No. 913-203241
Loan No. 14930127